Single Bench

(4)

CF-1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 5440 /2006

PETITIONER : Hanuman Das Vaishnav
S/o.Raghunath Das Vaishnav
Aged about 46 years
Post- Assistant Teacher
R/o. Village & Post-Siladehi,
Block-Bamhanidh, District
Janjgir-Champa (C.G.)

P.R. No. 3454/06 Presented by Shri R.K. Pandey dated 31/10/06

VERSUS

RESPONDENTS :1. State of Chhattisgarh
Through : Secretary
Department of Education
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.)

2. District Education Officer,
Janjgir, District Janjgir-
Champa (C.G.)

3. Block Education Officer
Block-Bamhanidih
District-Janjgir-Champa
(C.G.)

RECEIVED-COPY CLERK to A. G. BILASPUR 31/10/06

OATH COMMISSIONER APARNA MALVIYA CG/0073/96 01/10/06 High Court Chhattisgarh

WRIT PETITION U/A 226/277 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRITS IN THE NATURE OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS

(24)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 5439 of 2006

Petitioner : Beniram Shrivas
Versus
Respondents : State of Chhattisgarh & others

W. P. (s) No. 5440 of 2006

Petitioner : Hanuman Das Vaishnav
Versus
Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri**.

Shri Ramakant Pandey, Advocate for the Petitioners.
Shri Utkarsh Verma, Govt. Advocate for the State/respondents.

ORDER

(27th October, 2006)

1. The petitioners are working as Assistant Teachers in the government schools. In the course of their services as Assistant Teachers, the petitioners have obtained D.Ed. certificates on their own expenses before 1.3.1999.

2. Learned counsel for the petitioners submits that the 'Basic Training Institute' (B.T.I.) certificate has been renamed by the order of the State Government as 'Diploma in Education' (D.Ed.) certificate. The petitioners, who have obtained D.Ed. certificate prior to 1.3.1999 are entitled to the same relief as is granted to the candidates who had obtained B.T.I./B.Ed. certificates on their own expenses as per the circulars dated 24.12.1998 and 1.3.1999.

3. Writ Petition (s) No.s 5439/2006 and 5440/2006 are being disposed of by this common order as the facts and question of law involved in both the petitions are common.

4. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the

8. Accordingly, in the event, D.Ed. certificate holders are equal to B.T.I./B.Ed. certificate holders, they are entitled to the same relief in terms of the orders passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Certificate on their own expenses as per the circulars dated 24.12.1998 and 1.3.1999 and further whether they have been paid two advance increments or not. No order as to costs.

9. A copy of this order be placed on record in connected matter.

Sd/-
Satish K. Agnihotri
Judge

Thakur